

AO 440 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of
District

NEW YORK

LOCALS 302 AND 612 OF THE INTERNATIONAL
UNION OF OPERATING ENGINEERS-EMPLOYERS
CONSTRUCTION INDUSTRY RETIREMENT TRUST,
Derivatively on Behalf of LEHMAN BROTHERS
HOLDINGS INC.,

SUMMONS IN A CIVIL CASE

V.

RICHARD S. FULD, JR., JOSEPH M. GREGORY, CHRISTOPHER
M. O'MEARA, THOMAS A. RUSSO, JEREMY M. ISAACS,
DAVID GOLDFARB, BRADLEY H. JACK, JEFFREY VANDERBEEK,
JONATHAN E. BEYMAN, MICHAEL L. AINSLIE, JOHN F. AKERS,
ROGER S. BERLIND, THOMAS H. CRUIKSHANK, MARSHA JOHNSON EVANS,
SIR CHRISTOPHER GENT, ROLAND A. HERNANDEZ, HENRY KAUFMAN,
JOHN D. MACOMBER and DINA MERRILL,

Defendants,

- and -

LEHMAN BROTHERS HOLDINGS INC., a Delaware corporation,
Nominal Defendant.

CASE NUMBER:

07 CV 3950

TO: (Name and address of Defendant)

See attached schedule A

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Lerach Coughlin Stoia Geller Rudman & Robbins LLP
58 South Service Road, Suite 200
Melville, NY 11747

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAY 21 2007

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<p>G Served personally upon the defendant. Place where _____</p> <p>_____</p> <p>G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p>Name of person with whom the summons and complaint were _____</p> <p>G Returned _____</p> <p>_____</p> <p>_____</p> <p>G Other _____</p> <p>_____</p> <p>_____</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <p style="margin-left: 150px;">Date</p> <p style="margin-left: 250px;">_____ <i>Signature of Server</i></p> <p style="margin-left: 300px;">_____ <i>Address of Server</i></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Schedule "A"

Lehman Brothers Holdings, Inc.
c/o Prentice Hall Corporation System
80 State Street
Albany, NY 12207
(Albany County)

Richard S. Fuld, Jr.
11 Clinton Lane
Harrison, NY 10528
(Westchester County)

Joseph M. Gregory
2 Lloyd Core Court
Lloyd Harbor, NY 11743
(Suffolk County)

Christopher M. O'Meara
3 Ophir Drive
Purchase, NY 10577
(Westchester County)

Thomas A. Russo
85 Ridge Road
Rumson, NJ 07760
(Monmouth County)

Jeremy M. Isaacs
c/o Lehman Brothers
745 Seventh Ave.
New York, NY 10019
(New York County)

David Goldfarb
c/o Lehman Brothers
745 Seventh Ave.
New York, NY 10019
(New York County)

Bradley H. Jack
1155 Sasco Hill Road
Fairfield, CT 06824

(Fairfield County)

Jeffrey Vanderbeek
3 Hilltop Court
Warren, NJ 07059
(Somerset County)

Jonathan E. Beyman
1 Singing Woods Court
Norwalk, CT 06850
(Fairfield County)

Michael Ainslie
415 Seaspray Avenue
Palm Beach, FL 33480
(Palm Beach County)

John F. Akers
1 Sturges Highway
Westport, CT 06880
(Fairfield County)

Roger S. Berlind
120 East End Avenue, #8A
New York, NY 10028
(New York County)

Thomas H. Cruikshank
5949 Sherry Lane, Unit 1035
Dallas, TX 75225
(Collin County)

Marsha Johnson Evans
722 South Union Street
Alexandria, VA 22314
(Fairfax County)

Sir Christopher Gent
c/o Lehman Brothers
745 Seventh Ave.
New York, NY 10019
(New York County)

Roland A. Hernandez
300 North San Rafael

Pasadena, CA 91105
(Los Angeles County)

Henry Kaufman
943 Cherokee Lane
Franklin Lake, NJ 07417
(Bergen County)

John D. Macomber
2806 N Street NW
Washington, DC 2007
(District of Columbia)

Dina Merrill
870 United Nations Plaza 35D
New York, NY 10017
(New York County)

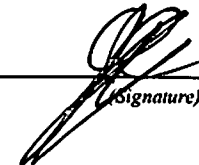
Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173			For Court Use Only		
Attorney for: Plaintiff					
Ref. No. or File No.:					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers					
Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Lehman Brothers Holdings, Inc., a Delaware Corporation
 b. Person served: Mia Howard, Legal Assistant / Authorized to Accept Legal Process
4. Address where the party was served: 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
 (Date)

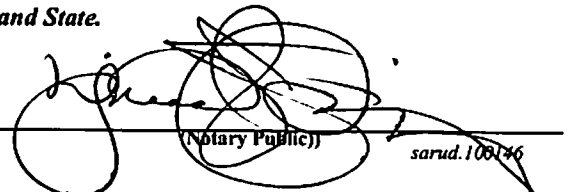

 (Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**


 (Notary Public)

sarud.1001#6

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Richard S. Fuld, Jr.
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07

(Date)

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**

(Notary Public)

(sarud.100147)

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Joseph M. Gregory
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
(Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**

(Notary Public)

sarud.100218

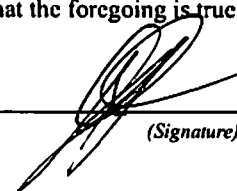
Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				<i>For Court Use Only</i>	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Christopher M. O'Meara
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

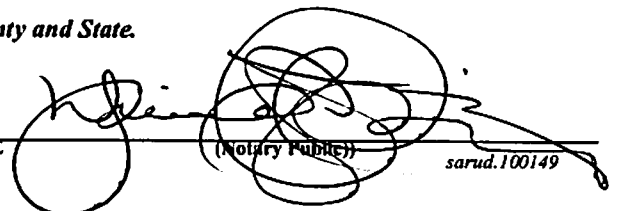

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**


 (Notary Public)
 sarud.100149

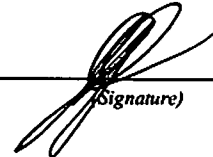
Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				For Court Use Only	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Thomas A. Russo
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
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 Penryn, CA 95663
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(Date)

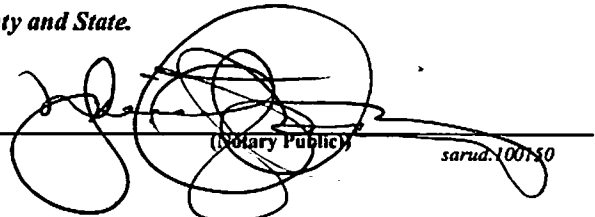

(Signature)

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 Reg. No. 01-KE-4851559
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 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**


 (Notary Public)
 sarud:100150

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				For Court Use Only	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
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1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Jeremy M. Isaacs
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
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Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

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 (Date)

(Signature)

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 Notary Public, State of New York
 Reg. No. 01-KE-4851559
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 Commission Expires February 3, 2010

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My Commission Expires 2-3-10
 (Date)

AFFIDAVIT OF SERVICE
Summons & Complaint

(Notary Public)

sarud.100151

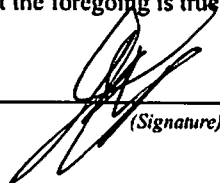
Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				For Court Use Only	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: David Goldfarb
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
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 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

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(Date)

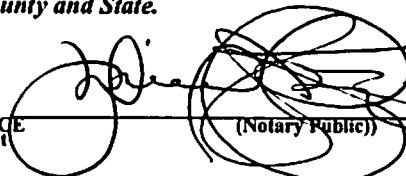

(Signature)

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 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

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My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**


 (Notary Public)
 sarud.100152

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173			<i>For Court Use Only</i>		
Attorney for: Plaintiff					Ref. No. or File No.:
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Bradley H. Jack
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
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 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07

(Date)

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

AFFIDAVIT OF SERVICE
Summons & Complaint

(Notary Public)

arud.00153

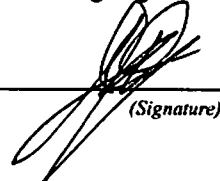
Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				For Court Use Only	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Jeffrey Vanderbeck
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
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Fee for Service:

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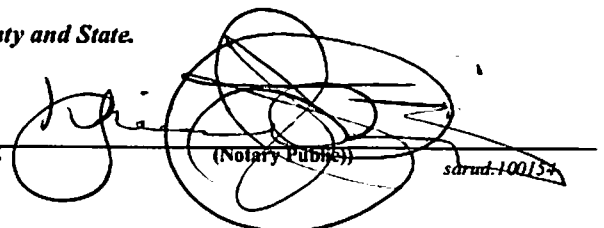

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 20 10

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
(Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**


(Notary Public)
 sarud-100154

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				For Court Use Only	
Attorney for: Plaintiff					
Ref. No. or File No.:					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers					
Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Jonathan E. Beyman
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**

(Notary Public)

sarud.100135

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Michael L. Ainslie
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
(Date)

AFFIDAVIT OF SERVICE
Summons & Complaint

(Notary Public)

saug 100156

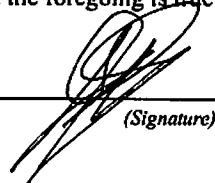
Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173			<i>For Court Use Only</i>	
Attorney for: Plaintiff			Ref. No. or File No.:	
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York				
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.				
AFFIDAVIT OF SERVICE Summons & Complaint			Hearing Date:	Time:
			Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: John F. Akers
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

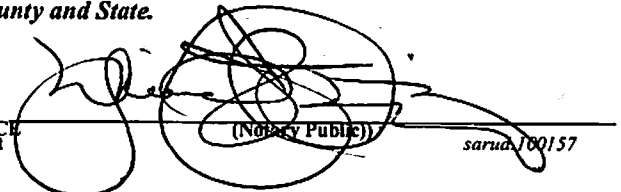

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

AFFIDAVIT OF SERVICE
Summons & Complaint


 (Notary Public)
 sarua.100157

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				<i>For Court Use Only</i>	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Roger S. Berlind
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State

My Commission Expires 2-3-10
 (Date)

AFFIDAVIT OF SERVICE
Summons & Complaint

(Notary Public)

surud.100158

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				<i>For Court Use Only</i>	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

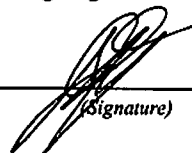
1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Thomas H. Cruikshank
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07

(Date)


 (Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**

(Notary Public)

saad.160159

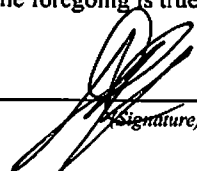
Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				<i>For Court Use Only</i>	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Marsha Johnson Evans
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

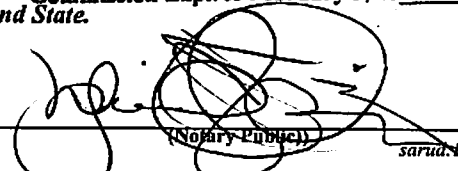

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

AFFIDAVIT OF SERVICE
Summons & Complaint


(Notary Public)

saad.100160

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				<i>For Court Use Only</i>	
Ref. No. or File No.:					
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers					
Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Sir Christopher Gent
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

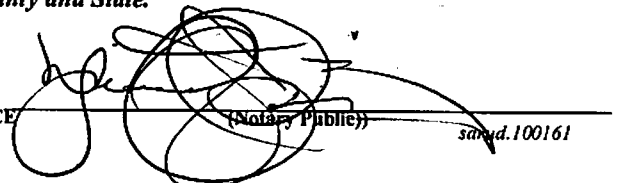

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 20 10

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**


 (Notary Public)
 sard.100161

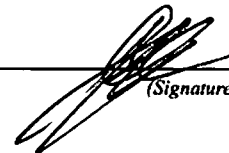
Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				For Court Use Only	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Roland A. Hernandez
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

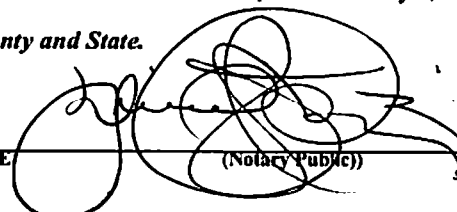

(Signature)

MICHAEL KEATING
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 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**


 (Notary Public)
 surd.100162

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				<i>For Court Use Only</i>	
Attorney for: Plaintiff			Ref. No. or File No.:		
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Henry Kaufman
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

AFFIDAVIT OF SERVICE
Summons & Complaint

(Notary Public)

shud.100163


<i>Attorney or Party without Attorney:</i> Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				<i>For Court Use Only</i>	
<i>Attorney for:</i> Plaintiff			<i>Ref. No. or File No.:</i>		
<i>Insert name of Court, and Judicial District and Branch Court:</i> United States District Court - Southern District Of New York					
<i>Plaintiff:</i> Locals 302 and 612 of the International Union of Operating Engineers <i>Defendant:</i> Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		<i>Hearing Date:</i>	<i>Time:</i>	<i>Dept/Div:</i>	<i>Case Number:</i> 07CV3950

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: John D. Macomber
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
 P O Box 740
 Penryn, CA 95663
 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

6-5-07
(Date)

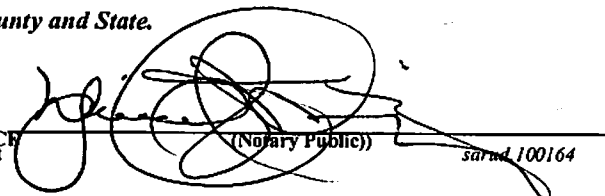

(Signature)

MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. **SUBSCRIBED AND SWORN** to me, a Notary Public in and for said County and State.

My Commission Expires 2-3-10
 (Date)

**AFFIDAVIT OF SERVICE
Summons & Complaint**


 (Notary Public)
 sarnad 100164

Attorney or Party without Attorney: Samuel H. Rudman, Esq. Lerach Coughlin Stoia Geller Rudman & Robbins LLP 58 South Service Road, Suite 200 Melville, NY 11747 Telephone No: 631-367-7100 FAX No: 631-367-1173				<i>For Court Use Only</i>	
Attorney for: Plaintiff					
Insert name of Court, and Judicial District and Branch Court: United States District Court - Southern District Of New York					
Plaintiff: Locals 302 and 612 of the International Union of Operating Engineers Defendant: Richard S. Fuld, Jr., et al.					
AFFIDAVIT OF SERVICE Summons & Complaint		Hearing Date:	Time:	Dept/Div:	Case Number: 07CV3950

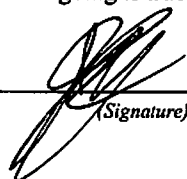
1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Case; Verified Shareholder Derivative Complaint
3. a. Party served: Dina Merrill
 b. Person served: Mia Howard, Legal Assistant / Authorized Representative to Accept Service
4. Address where the party was served: Lehman Brothers
 1301 Avenue of the Americas
 New York, NY 10019
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Fri., Jun. 01, 2007 (2) at: 12:22PM
7. Person Who Served Papers:
 - a. Jason Agee
 - b. Class Action Research & Litigation Support Services, Inc.
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 - c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

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6-5-07

(Date)



MICHAEL KEATING
 Notary Public, State of New York
 Reg. No. 01-KE-4851559
 Qualified in New York County
 Commission Expires February 3, 2010

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State,

My Commission Expires 2-3-10
 (Date)

AFFIDAVIT OF SERVICE
Summons & Complaint

(Notary Public)

surud.100165